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## Law Offices of Gregory Messer

May 14, 2018

**Via Electronic Case Filing** 

Chambers of the Honorable Elizabeth Stong United States Bankruptcy Court for the Eastern District of New York 271 Cadman Plaza East Brooklyn, New York 11201

Re: Van Walker, Case No. 17-44665-ess Mirbourne NPN2, LLC

Honorable Judge Stong:

This letter is filed after last week's initial court loss mitigation conference, to confirm that the Debtor believes it to be appropriate to come back to Court for a status conference on July 19, 2018 at which time all motions and matters and loss mitigation can be addressed.

In addressing the suggestion by Mirboune's counsel that the AirBnB income that the Debtor generates from his efforts be impounded, as the deed is still in the Debtor's name, the Debtor has been paying the property taxes and generating income through his own hard work and efforts in running an AirBnB in this property, which also serves as his primary residence. This property and the income the Debtor generates from AirBnB is vital to fund his reorganization plan, which income he also uses maintain the property, upgrade the property, and pay the water bill. This property is his residence and there is no AirBnB income without Mr. Walker and his family in the house. The Debtor greets guests, cleans the property, cooks and is up all night to accommodate guests from different time zones. There are no permanent rent or tenants in the Debtor's property.

The income generated by the Debtor's efforts is vital to his reorganization plan, and the Debtor should continue to be allowed to live in his residence and earn and generate his company's AirBnB income. Moreover, this time of the year is the busiest time of the year for the AirBnB. Accordingly, all issues, including relief from the automatic stay, should and can be addressed at the continued status conference on July 19, 2018.

The Debtor also needs additional time to address other creditors, for which he is analyzing claims as the claims bar date was just a couple of weeks ago on April 30, 2018, and appearing earlier than July 19, 2017 will add additional expense while the Debtor is trying to maximize his income during this summer season to fund a plan for all creditors and to hopefully provide more income during the prime AirBnB months towards resolving these issues with Mirbourne, for which loss mitigation also just began. If Mirbourne disrupts the AirBnB income at the start of the prime season, this will hurt one of the Debtor's primary sources of revenue he needs to address other creditors.

Thank you for the Court's courtesies.

Respectfully submitted,

/s/ Mark R. Bernstein
Mark R. Bernstein, Esq.
Law Offices of Gregory Messer

cc: Kenneth Baum, Esq. (via ECF and e-mail) Sean Lipsky, Esq. (via e-mail)